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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Solomon S. Steiner, Robert Feldstein, Per B. Fog, and Trent Poole

OFFICIAL

Serial No.: 09/621,092

Art Unit: 3743

Filed: July 21, 2000

Examiner: Patel, M.

For: *UNIT DOSE CAPSULES FOR USE IN A DRY POWDER INHALER*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Sir:

Responsive to the Office Action mailed on October 21, 2003, please amend the application as follows. It is believed that no fee is required with this submission. However, should a fee be required, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 50-1868.

HOLLAND & KNIGHT LLP

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Suite 2000
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404-881-0470 Fax
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Patrea L. Pabst 404-817-8473

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MESSAGE:

Applicants: Solomon S. Steiner, Robert Feldstein, Per B. Fog, and Trent Poole

Serial No.: 09/621,092 Art Unit: 3761

Filed: July 21, 2000 Examiner: M. B. Patel

For: UNIT DOSE CAPSULES AND DRY POWDER INHALER

1439487_v1

PTO/SB/17 (10-03)

Approved for use through 07/31/2006, OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL
for FY 2004

Effective 11/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 00.00

Complete if Known

| | |
|----------------------|--------------------|
| Application Number | 09/621,092 |
| Filing Date | July 21, 2000 |
| First Named Inventor | Solomon S. Steiner |
| Examiner Name | M. Patel |
| Art Unit | 3743 |
| Attorney Docket No. | PDC 116 |

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☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
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| 1001 770 | 2001 385 | Utility filing fee | |
| 1002 340 | 2002 170 | Design filing fee | |
| 1003 530 | 2003 265 | Plant filing fee | |
| 1004 770 | 2004 385 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | (\$) 0.00 |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
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| 7 | 40** = | X | 0.00 |
| 1 | 8** = | X | 0.00 |
| Multiple Dependent | | | 0.00 |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|--|------------------|
| 1202 18 | 2202 9 | Claims in excess of 20 | |
| 1201 86 | 2201 43 | Independent claims in excess of 3 | |
| 1203 290 | 2203 145 | Multiple dependent claim, if not paid | |
| 1204 86 | 2204 43 | ** Reissue independent claims over original patent | |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent | |
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FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
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| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 2053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 420 | 2252 210 | Extension for reply within second month | |
| 1253 950 | 2253 475 | Extension for reply within third month | |
| 1254 1,480 | 2254 740 | Extension for reply within fourth month | |
| 1255 2,010 | 2255 1,005 | Extension for reply within fifth month | |
| 1401 330 | 2401 165 | Notice of Appeal | |
| 1402 330 | 2402 165 | Filing a brief in support of an appeal | |
| 1403 280 | 2403 145 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,330 | 2453 665 | Petition to revive - unintentional | |
| 1501 1,330 | 2501 665 | Utility issue fee (or reissue) | |
| 1502 480 | 2502 240 | Design issue fee | |
| 1503 640 | 2503 320 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (limits number of properties) | |
| 1809 770 | 2809 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 770 | 2810 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 770 | 2801 385 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00**SUBMITTED BY**

Name (Print/Type)

Patrea L. Pabst

Registration No.
(Attorney/Agent)

31,284

(Complete if applicable)

Telephone

(404) 817-8473

Signature

Date

January 21, 2004

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| | | |
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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/621,092 |
| | Filing Date | July 21, 2000 |
| | First Named Inventor | Solomon S. Steiner et al. |
| | Art Unit | 3743 |
| | Examiner Name | M. Patel |
| | Attorney Docket Number | PDC 116 |
| Total Number of Pages in This Submission | 10 | |

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| Firm or Individual name | Patrea L. Pabst, Esq., Reg. No. 31,284 Holland & Knight LLP Suite 2000, One Atlantic Center, 1201 West Peachtree Street, N.E., Atlanta, GA 30309-3400 | |
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